

VLADECK, RASKIN & CLARK, P.C.

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April 9, 2021

VIA ECF AND EMAIL

The Honorable Paul A. Engelmayer
United States District Judge
Southern District of New York
40 Foley Square, Room 2201
New York, New York 10007

Re: Dodd v. City Univ. of New York, 17 Civ. 9932 (PAE)

Dear Judge Engelmayer:

We represent plaintiff, Lynda G. Dodd (“Dodd” or “plaintiff”), in the above-referenced action. Pursuant to Rules 4.B. and 6.B. of the Court’s Individual Rules and Practices in Civil Cases (the “Court’s Individual Rules”), plaintiff writes respectfully to request permission to redact and file under seal Exhibit 9 to the Declaration of Anne L. Clark in support of Plaintiff’s Motions in Limine. Exhibit 9 is an excerpt from the deposition transcript of Kevin Foster (“Foster”).

The exhibit plaintiff requests permission to file under seal and with redactions is an exhibit that defendants have designated “Confidential” pursuant to the Stipulation and Order Concerning the Designation and Use of Confidential Materials (the “Confidentiality Order”). (ECF No. 3) Defendants requested that plaintiff make this request consistent with obligations under the Confidentiality Order. (See id. at ¶ 12(a)). The proposed redactions in this exhibit are identical to the redactions to this portion of the deposition transcript filed as an exhibit to plaintiff’s opposition to defendants’ motion for summary judgment. The Court granted plaintiff’s previous request to file this deposition transcript with redactions and under seal. (Dkt. 122)

Hon. Paul A. Engelmayer
April 9, 2021
Page 2

In accordance with Rule 6.B. of the Court's Individual Rules, plaintiff shall deliver by email a copy of Exhibit 9 to the April 9, 2021 Declaration of Anne L. Clark with highlighting to show the information that will be redacted from materials filed via ECF. As indicated above, defendants consent to this request.

Respectfully submitted,

/s/ Anne L. Clark

Anne L. Clark

ALC:em

Cc(via ECF): Counsel of Record

Granted. In accord with the Court's Individual Rule 4(B)(2), however, the parties are directed also to file an unredacted copy of Exhibit 9, under seal, on the docket of the case. Going forward, the parties should file proposed sealed submissions on the docket and need not email those submissions to chambers, as is currently outlined in Individual Rule 6(B).

The Clerk of Court is respectfully directed to terminate the motion pending at docket 160.

SO ORDERED.



PAUL A. ENGELMAYER
United States District Judge

April 12, 2021